

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WESLEY WILLIAMS

Plaintiff,

-against-

CARL J. KOENIGSMANN, et al.,

Defendants.

No. 14-CV-2498 (NSR)(LMS)

OPINION & ORDER

NELSON S. ROMÁN, United States District Judge

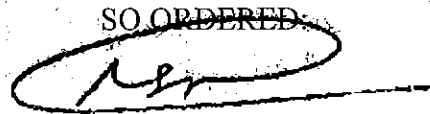
Wesley Williams ("Plaintiff") brings this action pursuant to 28 U.S.C. § 1983, alleging that Defendants violated his Eighth and Fourteenth Amendment rights. Plaintiff filed his original complaint on April 7, 2014 against Koenigsmann, Acrish, Bernstein, and Griffith. On January 5, 2015, Defendants moved to dismiss this complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). While that motion was pending, on June 12, 2015, the Court granted Plaintiff leave to file a motion to amend the complaint. Subsequently, on June 10, 2016, the Court granted Plaintiff's motion to amend, and Plaintiff later filed his amended complaint, adding as defendants Dr. Timothy Whalen, Nurse Devlin-Varin, and APS.

To allow Plaintiff to effect service on Defendants Dr. Timothy Whalen, Nurse Devlin-Varin, and APS, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for each of these defendants. Dr. Timothy Whalen is retired from the New York State Department of Corrections & Community Supervision ("DOCCS"), so the summons and complaint should be sent to DOCCS' Counsel Office at Harriman State Campus, Bldg. 9, Albany, NY 12929. APS has been acquired by a company called KEYPRO, which can be served at 777 Harrisburg, PA, 17111. Finally, the service

addresses for Nurse Devlin Varin is Clinton Correctional Facility, Route 374, Cook Street, Box 2000, Dannemora, NY 12929. The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon these defendants.

Plaintiff must effect service within 90 days of the date the summons is issued. It is Plaintiff's responsibility to ensure that service is made and, if necessary, to request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). It is also Plaintiff's obligation to promptly submit a written notification to the Court if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so.

Dated: August 5, 2016
White Plains, New York

SO ORDERED


NELSON S. ROMÁN
United States District Judge